

REMARKS

Reconsideration and withdrawal of the rejections set forth in the Office action dated October 2, 2003 are respectfully requested. Applicants petition the Commissioner for a 3-month extension of time. A separate petition accompanies this amendment.

Applicants thank the Examiner for an indication that claims 7 and 8 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claim.

I. Amendments**A. In the Specification**

The specification is amended to identify trademarks in accord with MPEP 608.01(v).

The specification is further amended to identify sequences by their sequence identifiers in accord with 37 C.F.R. §1.821(d).

B. In the Claims

Claims 1-6 and 9-11 stand cancelled. Applicants reserve the right to file a continuing application directed to these claims.

Claims 7 is rewritten in independent form.

By these amendments, no new subject matter has been added.

II. Objection to the Specification

The specification is objected to for the use of trademarks not properly demarcated and accompanied by the generic terminology. As noted above, the application is amended to recite the trademarks in accord with MPEP 608.01(v).

Accordingly, Applicant respectfully requests withdrawal of the objection to the specification.

III. Rejection under 35 C.F.R. §102

Claims 1-4, 6, and 9 were rejected under 35 U.S.C. §102(b) as allegedly anticipated by Burke *et al.* (Oncogene, 14:687-696, 1997), as evidenced by Fendly *et al.* (J. Biol. Response Mod., 9:49-455, 1990), and Reiser *et al.* (Urol. Int., 63:151-159, 1999).

Claims 1-4 were rejected under 35 U.S.C. §102(b) as allegedly anticipated by Feinmesser *et al.* (Oncogene, 12:2725-2730, 1996), as evidenced by van Lieshout *et al.* (Japanese Journal of Cancer Research, 90:81-85, 1999), and Schechtman *et al.* (Parasite Immunology, 23:213-217, 2001).

Claims 1, 2, 5, and 9 were rejected under 35 U.S.C. §102(b) as allegedly anticipated by Tuzi *et al.* (Biochem. Soc. Trans., 16:675-677, 1988), as evidenced by Wada *et al.* (PNAS USA, 94:12557-12561, 1997).

Claims 1-4, 6, and 9 were rejected under 35 U.S.C. §102(b) as allegedly anticipated by Cheever *et al.* (U.S. Patent No. 5,846,538).

Claims 1-6, and 9 stand cancelled.

III. Rejections under 35 C.F.R. §103

Claims 1-6 and 9-11 were rejected under 35 U.S.C. §103 as allegedly obvious over Cheever *et al.* in view of Laus *et al.* (U.S. Patent No. 6,080,409), Ossevoort *et al.* (J. Immunother. Emphasis Tumor Immunol., 18:86-94, 1995), and Toes *et al.* (Journal of Immunology, 160:4449-4456, 1998), as evidenced by Inaba *et al.* (Journal of Experimental Medicine, 172:631-640, 1990), and Wadhwa *et al.* (Clinical Cancer Research, 5:1353-1361, 1999).

Claims 1-6 and 9-11 stand cancelled.

CONCLUSION

In view of the foregoing, Applicants submit that the claims pending in the application are in condition for allowance. A Notice of Allowance is therefore respectfully requested.

The Examiner is invited to contact Applicants' representative at (650) 838-4410 if it is believed that prosecution of this application may be assisted thereby.

Respectfully submitted,



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